

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MERCURY PUBLIC AFFAIRS LLC and :
MPA HOLDINGS INC., :

Plaintiffs, :

-against- :

FABIAN NUNEZ and KIRILL :
GONCHARENKO, :

Defendants. :
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Case No. 1:21-cv-8300 (VSB)(JLC)

NOTICE OF MOTION

ECF FILING

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law, dated October 12, 2021, the Declaration of Simon Miller, dated October 12, 2021, the Declaration of Kirill Goncharenko, dated October 12, 2021 and the Declaration of Fabian Nunez, dated October 12, 2021 all with the exhibits annexed thereto and all prior proceedings had herein, Defendants Fabian Nunez and Kirill Goncharenko (collectively “Defendants”) will move this Court before the Honorable Vernon S. Broderick, United States District Judge for the Southern District of New York, at the United States Courthouse, 40 Foley Square, New York, New York 10007, for an order pursuant to Fed. R. Civ. P. 12(b)(1) dismissing this Action for lack of subject matter jurisdiction and granting Defendants such other and further relief as the Court may deem just and proper.

Dated: New York, New York
October 13, 2021

EISNER, LLP

By: /s/ Simon Miller
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